

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

CORDELL WILSON,

Petitioner,

vs.

WARDEN O'DONNELL,

Respondent.

4:24-CV-04132-RAL

OPINION AND ORDER ADOPTING
REPORT AND RECOMMENDATION IN
FULL AND DISMISSING PETITIONER'S
PETITION WITHOUT PREJUDICE

Petitioner Cordell Wilson, an inmate at the Federal Prison Camp in Yankton, South Dakota, filed a petition for writ of habeas corpus under 28 U.S.C. § 2241. Doc. 1. The matter was referred to a United States Magistrate Judge under 28 U.S.C. § 636(b)(1)(B) and the District of South Dakota's Civil Local Rule of Practice 72.1.A.2(b), which designates to the magistrate judge the duty to prepare proposed findings and recommendations for the disposition of habeas petitions. Magistrate Judge Veronica L. Duffy screened the petition and issued a report and recommendation that Wilson's § 2241 petition be dismissed without prejudice to permit Wilson to present his claim administratively to the Bureau of Prisons and exhaust his remedies with the agency before presenting his claim to this Court. Doc. 5 at 7. The time for objecting to the report and recommendation has passed. See id. No objections have been filed in this case. The Court has considered the case de novo and adopts the report and recommendation in full. Thus, it is

ORDERED that the Magistrate Judge's report and recommendation, Doc. 5, is adopted in full and Wilson's petition under 28 U.S.C. § 2241, Doc. 1, is dismissed without prejudice. It is further

ORDERED that the Clerk of Court will provide a copy of the petition, Doc. 1, Magistrate Judge Duffy's Report and Recommendation, Doc. 5, and this Order to the United States Attorney for the District of South Dakota.

DATED this 26th day of August, 2024.

BY THE COURT:



ROBERTO A. LANGE
CHIEF JUDGE